

US EPA RECORDS CENTER REGION 5



429687



**ADVANCED CHEMICAL COMPANY**

105 Bellows Street, Warwick, R.I. 02888

Tel: 401-785-3434 • Fax: 401-941-9210

February 23, 2012

Michelle Kerr, Remedial Project Manager  
U.S. Environmental Protection Agency – Region 5  
Superfund Division (SR-6J)  
77 West Jackson Blvd.  
Chicago, Illinois 60604-3590

Re: Request for Information – Chemecto Superfund Site

Dear Ms. Kerr.

Please find the response to the information request dated 30 November 2011.

If you have any questions, concerns, or require additional information regarding this matter,  
please contact me at (401) 785-3434, extension 117.

Respectfully,

Charles J. Volpe  
Environmental Manager  
Advanced Chemical Company

Enclosures

Advanced Chemical Company  
105 and 131 Bellows Street  
Warwick, RI 02888  
401 785-3434 • Fax 401 941-9210

The following people were consulted regarding this question:

Gerald A. Smith III, President  
Louis T. DiPaolo, Controller  
Charles J. Volpe, Environmental Manager

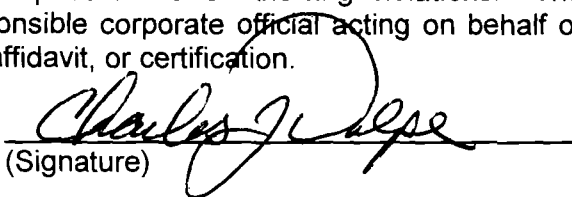
- 1.) Provide the following information about your company ("Respondent"):
- a.) The complete and correct legal name of your company.  
**Advanced Chemical Company**
  - b.) The name(s) and address(es) of the President and the Chairman of the Board, or other presiding officer of the company.  
**Gerald A. Smith III, President  
26 Steadman Way  
Greer, SC 29650**
  - c.) The state of incorporation of the company and the company's agents for service.  
**Rhode Island**
  - d.) The name(s) of all subsidiaries, affiliates, or parent companies to your company  
**Not Applicable**
  - e.) The state of incorporation of the company and agents for service of process in the state of incorporation.  
**Not Applicable**
  - f.) The status of all subsidiaries, affiliates, or parent companies to your company.  
**Not Applicable**

I certify under penalty of law that this document and all enclosures were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. The individual who prepared the response or the responsible corporate official acting on behalf of the corporation must sign and date the statement, affidavit, or certification.

Charles J. Volpe  
(Name)

Environmental Manager  
(Title)

(Signature)



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- 2.) Describe and provide any documents related to your company's business activities which resulted in sending material to Chemetco.

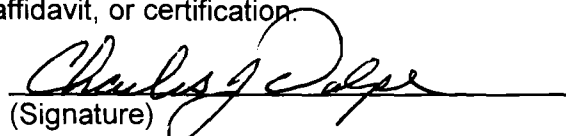
The material that Advanced Chemical Company sent to Chemetco was a copper substrate that contained recoverable amounts of gold, palladium, and silver.

All business documents related to Advanced Chemical's commerce with Chemetco, including any correspondence relating to this topic, are no longer available. They have been processed according to our records retention policy of seven (7) years.

I certify under penalty of law that this document and all enclosures were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. The individual who prepared the response or the responsible corporate official acting on behalf of the corporation must sign and date the statement, affidavit, or certification.

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- 3.) Describe and provide any documents related to your company's role at the Site, including what duties/involvement your company had at the Site.

Advanced Chemical Company sent copper substrate scrap containing recoverable amounts of gold, palladium, and silver for metal recovery.

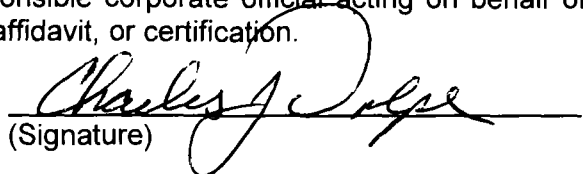
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- 4.) If the nature or size of Respondent's activities in relation to Chemetco changed over time, describe those changes and the dates they occurred.

Based on an internal inquiry, Advanced Chemical Company sent copper substrate scrap containing recoverable amounts of gold, palladium, and silver to Chemecto for metal recovery. These shipments occurred for several years prior to the 2001 closing.

All business documents related to Advanced Chemical's commerce with Chemetco, including any correspondence relating to this topic, are no longer available. They have been processed according to our records retention policy of seven (7) years.

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- 5.) For each type of waste or material used in Respondent's operations, describe and provide documents relating to Respondent's contract, agreements, or other arrangements for its disposal, treatment, trading, or recycling with Chemetco, including but not limited to whether Respondent controlled where waste sent to Chemetco warehouses was ultimately processed/recycled.

All business documents related to Advanced Chemical's commerce with Chemetco, including any correspondence relating to this topic, are no longer available. They have been processed according to our records retention policy of seven (7) years.

In addition, Advanced Chemical Company did not control where Chemetco processed/recycled the copper scrap.

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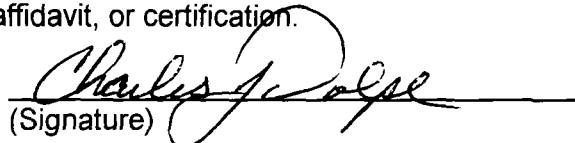
- 6.) If not already provided, specify the dates and circumstances when Respondent's waste or material was taken to the Site, and identify the companies or individuals who brought Respondent's waste/material to the Site. Provide any documents which support or memorialize your response.

Based on an internal inquiry, Advanced Chemical Company sent copper substrate scrap containing recoverable amounts of gold, palladium, and silver to Chemecto for metal recovery. These shipments occurred for several years prior to the 2001 closing. The material was shipped using a common freight carrier. Unfortunately no recollection of the firms used was available and all business documents related to Advanced Chemical's commerce with Chemetco, including any correspondence relating to this topic, are no longer available. They have been processed according to our records retention policy of seven (7) years.

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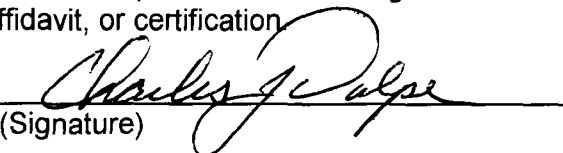
- 7.) Were transactions between your company and Chemetco and specifically the Site: 1) an outright sale; 2.) subject to a written or verbal "tolling" agreement between the companies; or 3.) reflected the "banking" of the transacted material in a metal account at the request of your company for return or other disposition at a later date?

Based on an internal inquiry, Advanced Chemical Company believes that the transactions may have been through an outright sale (buyout) providing a returned check. Unfortunately, all business documents related to Advanced Chemical's commerce with Chemetco, including any correspondence relating to this topic, are no longer available. They have been processed according to our records retention policy of seven (7) years.

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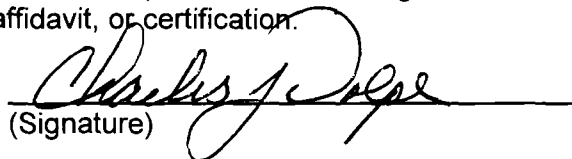
- 8.) Did your company have any influence over waste disposal or recycling activities at the Site? If so, how?

Advanced Chemical Company did not have any influence over waste disposal or recycling activities at the Site?

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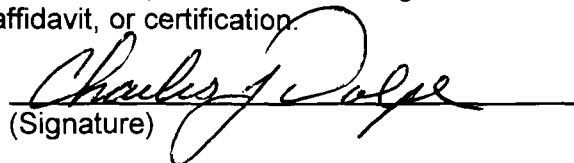
- 9.) Was any shipment of material sent to the Site by Respondent ever refused and/or returned? If so, describe this event in detail, including its cause and outcome?

To the best of Advanced Chemical Company's knowledge, no material was refused or returned.

I certify under penalty of law that this document and all enclosures were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. The individual who prepared the response or the responsible corporate official acting on behalf of the corporation must sign and date the statement, affidavit, or certification.

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Page 1 of 2

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- 10) Describe in detail the types of materials that you sent for recycling, processing, or disposal at the Site. In your response, please also give the generic name of each type of materials shipped to the site [eg: scrap metal (including scrap automobiles), batteries, electronics, scrap paper, scrap plastic or scrap textile, etc.].

The material that Advanced Chemical Company sent to Chemetco was a copper substrate that contained recoverable amounts of gold, palladium, and silver.

- (a) Identify whether the materials were delivered directly to the site or were trans-shipped there from another intermediate delivery point. If applicable, describe each such delivery point.

The material was shipped directly to Chemetco, with each shipment using a common freight carrier.

- (b) State whether any of the material was ever tested by your company and if so, whether the substances exhibited any of the characteristics of a hazardous waste identified in 35 Illinois Administrative Code 721, Subpart C or 40 C.F.R. & 261, Subpart C.

The scrap metal was not profiled because it meets the exclusion under 40 CFR 261.4(a)(13).

- (c) Describe what was done to materials once they were brought to the site, including any further processing of the materials.

The scrap metal was smelted.

- (d) Provide any additional information and all documents that you believe are related to the type, nature and characteristics of the materials you sent to the site.

Advanced Chemical does not have any additional information to add and all business documents related to Advanced Chemical's commerce with Chemetco, including any correspondence relating to this topic, are no longer available. They have been processed according to our records retention policy of seven (7) years.

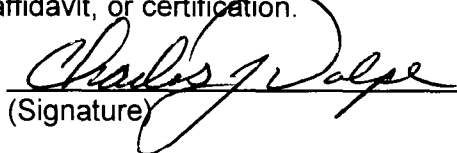
- (e) List the years in which your company sent materials to Chemetco and/or its broker(s) for recycling, processing, or disposal.

The exact dates could not be determined, but the shipments occurred for several years prior to the 2001 closing.

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11. For the following questions which relate to transaction involving scrap metals, provide the requested information, and also provide copies of any documents that contain any information that is related to the response:

- (a) Did a market exist for the scrap metal listed in your response to No. 10 above? If so, describe the nature of such a market at the time of the transaction (possible uses, possible consumers, etc.) and the sources of the commercial specification grade (e.g., Institution of Scrap Recycling Industries, Inc. (ISRI), Department of Defense, or wherever your company would find the grade published).

Yes, Advanced Chemical Company believes there is be a market for the copper substrate and the precious metals (gold, palladium, and silver). Chemetco smelted the copper and available precious metals. They provided it to an end-user market that holds countless uses for metals.

- (b) What commercial specification grade did the scrap metal listed in your response to questions No.10 meet? Identify/list the commercial specification grades that each scrap metal identified in No. 9 met.

The majority of the copper scrap contained greater than 85% copper; however, a smaller percentage could contain as low as 70% copper.

- (c) At the time of the transaction(s) what was the intended disposition of the scrap metal listed in your response to question No. 10? Did this included burning as fuel, or for energy recovery, or incineration?

The material was to be smelted. It was not intended to include burning as a fuel, energy recovery, or incineration.

- (d) After sale, transfer, delivery, recycling, or disposal, what portion of the scrap metal listed in your response to question No. 10 was to be made available for use as a feedstock for manufacturing of new sealable products? Explain how the portion identified in this answer was derived or calculated.

Advanced Chemical had no control of end use of the scrap metal. The material became the property of Chemetco and they determined the material's disposition.

- (e) Could the scrap metal listed in your response to question No.10 have been used as a replacement or substitute for a virgin raw material? If so, provide details.

Advanced Chemical believes that it could, but as described in 11 (d), Advanced Chemical had no control of end use of the scrap metal. The material became the property of Chemetco and they determined the material's disposition.

- (f) Could any products made from the scrap metal listed in your response to question No.10 have been used as a replacement or substitute for a product made, in whole or in part, from a virgin raw material? If so provide details.

Advanced Chemical believes that it could, but as described in 11 (d) and (e), Advanced Chemical had no control of end use of the scrap metal. The material became the property of Chemetco and they determined the material's disposition.

- (g) Did your company melt the scrap metal listed in your response to question No.10 before it was transported/delivered to the Site? If yes, describe the process used for melting the scrap metal.

No

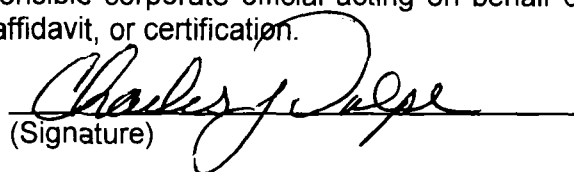
- (h) Describe the source of or the process that produced the materials sent to the site.

The materials were generated from the electronics industry.

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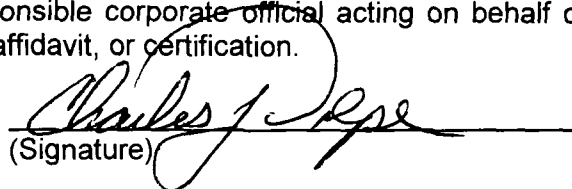
- 12.) Did any of the scrap material sent to the Site contain other material(s) incident to or adhering to the scrap? If so, describe in detail.

To the best of Advanced Chemical Company's knowledge, the scrap did not contain other material(s) incident to or adhering to the scrap other than any remaining electroplated gold, palladium, or silver.

I certify under penalty of law that this document and all enclosures were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. The individual who prepared the response or the responsible corporate official acting on behalf of the corporation must sign and date the statement, affidavit, or certification.

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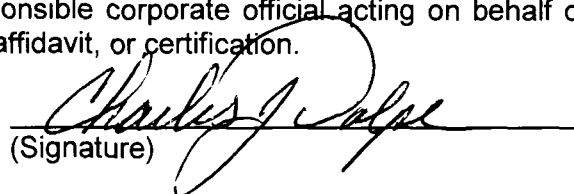
- 13.) Did any of the material sent to the Site contain wire or wiring? If so, was the wire's insulation first stripped before being shipped to or accepted at the Site, after being received at the Site, or was the wire not stripped.

To the best of Advanced Chemical Company's knowledge, the scrap did not contain wire or wiring.

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- 14.) Did the material shipped include drums or shipping containers? If so, specify the generators of the drums or shipping containers, the capacity of such drums or containers and whether such containers ever contained liquid of any sort. If so, specify the type of liquid and whether such liquids contained wastes of any kind.

To the best of Advanced Chemical Company's knowledge, the scrap:

- a.) was shipped in new plastic bag lined gaylord boxes having a rated capacity of 2000 pounds, and
- b.) did not contain any liquid.

All business documents related to Advanced Chemical's commerce with Chemetco, including any correspondence relating to this topic, are no longer available. They have been processed according to our records retention policy of seven (7) years.

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- 15.) Describe all efforts (i.e., Site visits) taken by your company to determine what would be done with the scrap metal identified in your response to question No. 10.

Advanced Chemical Company was aware from commercially available information that Chemecto was one of the largest secondary copper refining companies in the United States, with a history of over 25 years, and that it purchased large quantities of copper scrap material for the purpose of producing finished copper products for sale.

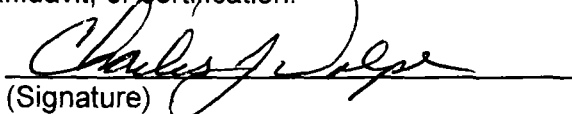
In accordance with Advanced Chemical's business practices, Advanced Chemical charged, and Chemetco paid, prices for the scrap material commensurate with its refining and reuse in copper products.

Advanced Chemical Company did not have the opportunity to visit or inspect the Chemetco facility and relied on commercially available information regarding Chemetco's business.

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- 16.) For the following questions which relate to transactions involving electrical and electronic equipment (e.g., transformers, capacitors, white goods, computers, monitors, cables, circuit boards, or other electrical equipment), provide the requested information, and also provide copies of any documents that contain any information that is related to the response:

Advanced Chemical did not ship Chemecto any of the material listed in this question

a.) List an estimated number of shipments of electrical and electronic equipment your company sent to the Site on an annual basis and list the years. In the list, include the type and quantity, volume and weight of electrical and electronic equipment sent;

Not Applicable

b.) At the time of the transaction(s), what was the intended disposition of the electrical and electronic equipment listed in your response to question 16(a)? Did the intended disposition include burning as fuel or for energy recovery or incineration?

Not Applicable

I certify under penalty of law that this document and all enclosures were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. The individual who prepared the response or the responsible corporate official acting on behalf of the corporation must sign and date the statement, affidavit, or certification.

Charles J. Volpe  
(Name)

Environmental Manager  
(Title)

  
(Signature)

Advanced Chemical Company  
105 and 131 Bellows Street  
Warwick, RI 02888  
401 785-3434 • Fax 401 941-9210

The following people were consulted regarding this question:

Gerald A. Smith III, President  
Louis T. DiPaolo, Controller  
Charles J. Volpe, Environmental Manager

- 17.) With respect to waste or materials sent to the Site, at the time of the transactions, specify the measure you took to determine the actual means of treatment, disposal, recycling, or other uses of the material. Provide information you had and any documents relating to the treatment, recycling and disposal practices of Chemetco at the Site. What assurances, if any, were you given by the owner/operator of the Site regarding the proper handling and ultimate disposition of the materials you sent there, as well as its compliance with applicable environmental laws? Include in your response any correspondences to and from Chemetco relating to this topic and dates the measures were taken or assurances were given.

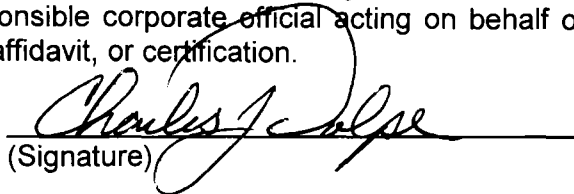
All of the business documents relating to Advanced Chemical's commerce with Chemetco, including any correspondence relating to this topic, are no longer available. They have been processed according to our records retention policy of seven (7) years. Consequently, Advanced Chemical has no records of any specific assurances given to it regarding the handling and disposition of the materials it sent to the Chemetco site. Advanced Chemical relied on the commercially available information about the nature of Chemetco's business, combined with the fact that it was purchasing material of a quality suitable for the manufacture of saleable products and paying prices commensurate with that use.

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The following people were consulted regarding this question:

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- 18.) What efforts and when, if any, did you take to investigate the nature of the operations conducted at the Site and the environmental compliance of the Site prior to selling, transferring, delivering, disposing of, trading, or arranging for the treatment, recycling, or disposal of any materials.

Refer to the responses in question #15 and #17 for additional information. Advanced Chemical did not have the opportunity to inspect the Chemetco facility and was not aware of any pending environmental enforcement actions against Chemetco.

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The following people were consulted regarding this question:

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- 19.) Provide all information in your possession that shows that you were in compliance with applicable federal regulations or standards regarding the recycling of materials, particularly Section 127 of CERCLA, 42 U.S.C. 9627, sent to the Chemecto Site.
1. The scrap metal that Advanced Chemical Company sent Chemetco contained a high concentration of copper (usually greater than 85%). A pure copper grade usually contains 90% copper. Based on that fact, a case can be made that Advanced Chemical's scrap meets the definition of a very high grade copper scrap.
  2. Copper is a highly recyclable metal because it remains essentially the same throughout its many uses. Copper Info.com estimates that approximately 80% of the copper used today has been recycled at some point, making it the number one recycled material in the world.
  3. Once Chemetco recycled and purified Advanced Chemical's copper scrap, Chemetco determined its disposition. This material could be used as a feedstock, as a saleable product, as a substitute for refined mined copper, or as a virgin raw material. Because a global market exists, the pure copper was available to a variety of industries (household, manufacturing, telecommunications, etc.).

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The following people were consulted regarding this question:

Gerald A. Smith III, President  
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Charles J. Volpe, Environmental Manager

- 20.) Provide all information in your possession that shows that you were in compliance with applicable federal environmental regulations or standards regarding scrap metal promulgated under Resource Conservation and Recovery Act (RCRA).

The scrap metal does not meet the definition of a hazardous waste. It is excluded under 40 CFR 261.4(a)(13).

Advanced Chemical holds the necessary RCRA identification numbers (refer to the response of question #21) and complies with the applicable reporting and record-keeping requirements under that statute for the handling and disposal of hazardous wastes.

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The following people were consulted regarding this question:

Gerald A. Smith III, President  
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Charles J. Volpe, Environmental Manager

- 21.) Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.

Advanced Chemical Company  
105 Bellows Street  
Warwick, RI 02888

R I D 0 5 9 7 3 5 7 6 1

Advanced Chemical Company  
131 Bellows Street  
Warwick, RI 02888

R I D 0 1 8 5 6 3 7 4 2

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The following people were consulted regarding this question:

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Charles J. Volpe, Environmental Manager

- 22.) List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 *et seq.*, (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 *et seq.*, (EPCRA); and the Clean Water Act (the Water pollution Prevention and Control Act), 33 U.S.C. Sections 1251 *et seq.*

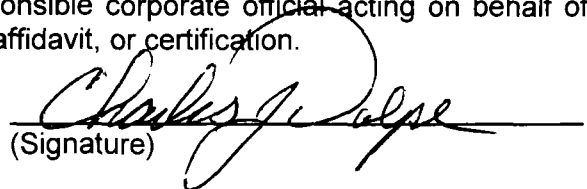
US Hazardous Waste Export Reports  
Hazardous Waste Report (Biennial Report)  
Toxic Chemical Release Inventory Report – Form R  
EPCRA – Tier II Report  
Monthly Hazardous Waste Transportation Reports  
Rhode Island Pollutant Discharge (RIPDES)

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The following people were consulted regarding this question:

Gerald A. Smith III, President, Louis T. DiPaolo, Controller, Charles J. Volpe, Environmental Manager

- 23.) Identify the federal and state offices to which such information was sent. State the years during which such information was sent/filed.

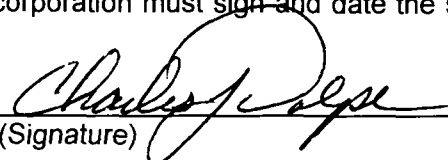
Report	Federal/State Office	Report Years
US Hazardous Waste Export Report	US EPA	1992 to present
Hazardous Waste Report (Biennial Report)	RI DEM	* 1991 to present
Toxic Chemical Release Inventory Report (Form R)	US EPA	* 1991 to present
EPCRA – Tier II Report	R.I. Dept. of Labor, R.I. Local Emergency Planning Committee, Warwick, R.I Fire Dept.	* 1991 to present
Rhode Island Pollutant Discharge (RIPDES)	RI DEM	* 1993 to present
Hazardous Waste Transportation Report (Monthly)	CT DEP	* 1991 to present
Hazardous Waste Transportation Report (Monthly)	RI DEM	* 2005 to present
Hazardous Waste Transportation Report (Monthly)	Mass DEP	* 1991 to 1994
B(4) Recyclable Material Transportation Report (Annual)	Mass DEP	* 1994 to present

\* This information was solely based on employee input as the records no longer exist. No information could be found prior to 1991.

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The following people were consulted regarding this question:

Gerald A. Smith III, President  
Louis T. DiPaolo, Controller  
Charles J. Volpe, Environmental Manager

- 24.) If you have any reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.

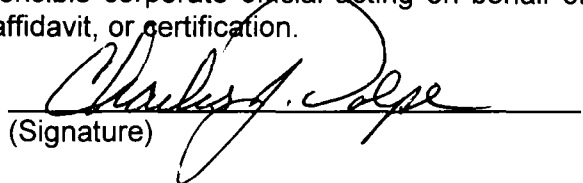
Advanced Chemical Company does not have any reason to believe that there are any persons able to provide a more detailed response to any question contained herein or who may be able to provide additional responsive documents.

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Page 1 of 2

The following people were consulted regarding this question:

Gerald A. Smith III, President  
Louis T. DiPaolo, Controller  
Charles J. Volpe, Environmental Manager

25.) If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. For each and every question contained herein, if information or documents responsive to this Information Request are not in your possession, custody or control, then identify the persons from whom such information or documents may be obtained. If the records were destroyed, provide us with the following:

(a) the document retention policy between 1970 and 2001;

Advanced Chemical maintains a document retention policy for its business records. The Controller is responsible for the development, implementation, maintenance, and oversight of this policy and Management is required to insure that all departments follow the specified guidelines.

General Guidelines:

- All business records are required to be retained for a minimum of seven- (7) years.
- Records may be stored electronically or in a hard copy format.
- On an annual basis, hardcopy records are removed from various cabinets and placed into storage boxes where they are identified with a unique serial number and placed into archival storage at a secure location.
- On an annual basis, the Controller shall assess all stored records, exceeding the seven- (7) year duration, and determines their disposition. Normally, these records are destroyed (via a shredding process) unless special or unique circumstances exist.
- Unauthorized disposal of applicable records is strictly prohibited and noncompliance will result in the issuance of disciplinary action in accordance with the Company Employee Handbook.
- Human Resource and Environmental records that require shorter or longer retention are not subject to the requirements of this policy.

(b) a description of how the records were destroyed (burned, trashed, etc.) and the approximate date of destruction;

Documents are destroyed via a shredding and disposal process. Normally, a seven-(7) process is used.

- (c) a description of the type of information that would have been contained in the documents;

Accounts payable and receivable, customer invoices and settlements, purchase orders, packing slips, expense reports, financial audits (accounting firms, banks, etc.), contracts, inventory tracking, US EPA reports, RIDEM reports, POTW reports, analytical reports, incoming and outgoing hazardous waste manifests and US DOT hazardous material shipping papers, OSHA documentation, safety and regulatory training documentation.

- (d) the name, job title and most current address known by you of the person(s) who would have produced these documents, the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for the destruction of these documents; and the person(s) who had and/or still may have the originals or copies of these documents; and

Louis T DiPaolo, Controller  
41 Brairwood Rd.  
North Situate, RI 02857

- (e) the names and most current address of any person(s) who may possess documents relevant to this inquiry.

Louis T DiPaolo, Controller  
41 Brairwood Rd.  
North Situate, RI 02857

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The following people were consulted regarding this question:

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Charles J. Volpe, Environmental Manager

- 26.) Please state the name, title and address of each individual who assisted or was consulted in preparation of the response to this request.

Gerald A. Smith III, President  
26 Steadman Way  
Greer, SC 29650

Louis T DiPaolo, Controller  
41 Briarwood Rd.  
North Sitate, RI 02857

Charles J. Volpe, Environmental Manager  
91 Oaklawn Avenue  
Cranston, RI 02920

I certify under penalty of law that this document and all enclosures were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. The individual who prepared the response or the responsible corporate official acting on behalf of the corporation must sign and date the statement, affidavit, or certification.

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